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**FILED**  
Commonwealth Recorder Clerk  
District Court

MAR 31 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS  
By For The Northern Mariana Islands  
(Deputy Clerk)

THE UNITED STATES OF AMERICA,	)	Criminal Case No. <u>CR 04-00038</u>
	)	
Plaintiff,	)	
	)	
vs.	)	DECLARATION OF STEPHANIE
	)	G. FLORES
ERIC JOHN TUDELA MAFNAS,	)	
	)	
Defendant.	)	

I, Stephanie G. Flores, being first duly sworn depose and state:

1. That I am an attorney licensed to practice before the Courts of Guam and the Commonwealth of the Northern Mariana Islands and was retained to represent the Defendant in this matter;
2. That I am making this Declaration at the specific request of the Defendant;
3. That prior to the commencement of the trial in this matter I discovered a conflict of interest between two clients, Mr. Mafnas and Mr. Roque Matagolai whose name appeared in the discovery provided to me by the U.S. Attorney's Office;
4. Upon discovery of the conflict I immediately notified both clients and secured alternate representation for Mr. Matagolai to advise him on whether or not he should waive the conflict;
5. Mr. Mafnas did not wish to waive the conflict and I moved to withdraw as counsel for him;

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6. A hearing was held, in chambers with Judge Wallace Tashima who was presiding over the matter and he denied my motion to withdraw and ordered me to continue with my representation of Mr. Mafnas;
  7. Although I believe that I did everything I could do for Mr. Mafnas the lingering taint of the conflict remained;
  8. Immediately after the trial ended I recommended that Mr. Mafnas secure alternate representation and he retained Mr. Howard Trapp;
  9. After the trial some information was discovered that indicated that one or more jurors may have been untruthful in response to certain voir dire questions that may have resulted in challenges to the seating of those jurors, I expressed to Mr. Mafnas the need for this information to be relayed to his new attorney so that the information could be verified and possible motions could be researched and if meritorious filed;
  10. I turned over all files in my possession to Mr. Trapp at the direction of Mr. Mafnas;
  11. I do not know what work was done on Mr. Mafnas' behalf after I turned over the files to Mr. Trapp;
- Further your affiant sayeth naught.
- Respectfully executed this 28th day of March, 2008 in Hagatna, Guam.

THE LAW OFFICE OF STEPHANIE G.FLORES

By:

STEPHANIE G. FLORES, ESQ.